

REGULAR SESSION RUSH COUNTY BOARD OF COMMISSIONERS AUGUST 30, 2010

The Rush County Board of Commissioners met in regular session, Monday, August 30th, 2010 with Commissioners, Tom Barnes, Marvin Cole, Ken Masters, Deborah Adams, and Auditor in attendance. County Attorney Leigh Morning was absent.

Commissioner Tom Barnes called the meeting to order, Ken Masters made the motion to approve the minutes of the August 16th meeting as presented. Marvin Cole seconded the motion. Motion carried.

SHERIFF

Jeff Sherwood, Sheriff, reported forty-five (45) inmates currently housed in the Rush County jail. Twelve (12) inmates are women, ten (10) inmates are sentenced and thirty-five (35) inmates are pre-sentenced inmates.

Sherwood asked for clarification resulting from the Downey Insurance Audit of painting the curbs of the courthouse. Tom Barnes instructed Sherwood to have an inmate to paint the courthouse walkways and courthouse steps.

Sherwood informed the commissioners of notice received of intent to file a “*TORT CLAIM*” of an incident that occurred on July 2, 2010.

Sherwood along with Chief Probation Officer Mark Fields, Probation Assistant Joe Jarman, and L.C.C. Representative Robert Hadley appeared before the commissioners to inform and educate the commissioners on the availability and effects of “*Synthetic cannabis*” often known as K-2 spice. Hadley reported that K-2 is ten times more potent than marijuana.

Sherwood reported that various counties have adopted county ordinances banning the K-2 spice. Tom Barnes reported that this was also discussed during the recent Health Board Meeting.

Ken Masters made the motion for the county attorney to create an ordinance banning the sale, usage and possession of “*Synthetic cannabis*” (K-2 Spice) in Rush County. Marvin Cole seconded the motion. Motion carried.

EMA

Mike Ooley, EMA Director, submitted a letter indicating that the director shall receive fifty percent (50%) reimbursement of his salary for 2011.

Ooley reported that he will work on the Downey audit report to be compliant.

I-T

Randy Herbert, I-T Technician, reported that a special meter can be rented at a monthly cost of \$395.00. The meter will monitor the electrical impulses of the big Ariel that is utilized by the highway department. Herbert explained that the meter will identify the problem and the electric company will repair the problem on their dime.

The commissioners questioned if the electric company had a meter that the county could use at no cost. Herbert will check. Ken Masters made the motion to take the matter under advisement to research the cost. Marvin Cole seconded the motion. Motion carried.

TREASURER

Mary Ann Beard, Treasurer, asked for permission to attend the AIC conference in September. Beard reported that being on the board the registration fee is waived but the monies for travel and hotel expenses are budgeted within her current budget. Ken Masters made the motion to approve the expenses. Marvin Cole seconded the motion. Motion carried.

Beard submitted the July Treasurer's report for the commissioners to review. Beard reported that her office is currently collecting delinquent personal property taxes.

COURT'S CONFERENCE ROOM

Phil Caviness, Deputy Prosecutor, appeared before the commissioners asking for their approval to turn the former Public Defender office to a conference room for depositions by the Circuit and Superior Court's. Caviness was instructed that no unused equipment or refuse was to be stored in the basement or attic. Marvin Cole Made the motion to allow the transition. Ken Masters seconded the motion. Motion carried.

EMPLOYEE HEALTH INSURANCE

Amy Carpenter, APEX Benefit Group, appeared before the commissioners to review the status of coverage of the new health insurance with the county employees. Carpenter reported that the Dental and Vision insurance has been adjusted to twenty-four (24) pays. Carpenter and Deborah Adams agreed that this will provide the checks and balance needed for management of the fund.

Tom Barnes questioned Carpenter as to the status of the Wellness Program with Rush Memorial Hospital. Carpenter reported that she last spoke to Karen Meyer on August 18th or 20th in regards to hospital discounts. Barnes indicated that the commissioners were getting a different story on the Wellness Program from Rush Memorial. Barnes pressured Carpenter to get the Wellness Program going with the hospital.

The commissioners signed the Business Associate Agreement between Rush County and Benefit Administrative Systems, LLC on a motion by Ken Masters. Seconded by Marvin Cole. Motion carried.

PROBATION

Judge David Northam appeared before the commissioners seeking permission for Deputy Probation Officer Catherine Custer to attend a probation officer meeting September 15 to 17th. Judge Northam reported that the meeting exceeds the meeting allowance, yet the cost is budgeted. Marvin Cole made the motion to approve the expense. Ken Masters seconded the motion. Motion carried.

E.I.D.D.

Nancy Kinder of E.I.D.D. (Eastern Indiana Development District) appeared before the commissioners to provide an update of the Cherry Street project. Kinder reported that essentially the rules have changed in the middle of the game. Everyone must now regroup and start over to fit within the new rules. Kinder did explain that this in no way stops the project from going forward, only that the rules have changed

Marvin Cole made the motion to sign a letter of active support of E.I.D.D. Ken Masters seconded the motion. Motion Carried. Ken Masters is the commissioner's representative who sits on the E.I.D.D. Board of Directors.

AUDITOR

Deborah Adams, Auditor, received approval on payroll claims on a motion by Ken Masters. Seconded by Marvin Cole. Motion carried.

Bi-weekly claims were approved on a motion by Marvin Cole. Seconded by Ken Masters. Motion carried.

Adams asked for approval of the Declaration of C.A.G.I.T. (County Adjusted Gross Income Tax) and the C.E.D.I.T. (County Economic Development Income Tax) rates for the fiscal year of October 1, 2010 to September 30, 2011. Adams reported that the current C.A.G.I.T. rate is 1.00% and the current C.E.D.I.T. rate is 0.50%. Adams noted that no proposed changes had been made so the rates would remain the same for the fiscal year of October 1, 2010 to September 30, 2011. Ken Masters made the motion to approve and sign the Declaration of County Tax Rates. Marvin Cole seconded the motion. Motion carried.

Adams reported that a letter has been received from the Rush County Community Foundation regarding a grant application submitted by C.E.R.T. (Community Emergency Response Team). Adams reported that they were turned down due to the organization not having its 501(c) 3 status, a bank account established or financial documents. Tom Barnes instructed Adams to forward the notification to Mike Ooley as he was in charge of C.E.R.T.

COURT HOUSE PARKING

Ken Masters reported that he had received a complaint during the August 11 council meeting regarding no parking space available around the courthouse. The commissioners shared their concerns that the parameter parking spaces of the courthouse are strictly for public use. It was brought to the commissioner's attention that county employees are utilizing these parking spaces during their working hours. It was also noted that the janitorial staff are utilizing the handicap parking spaces for their personal parking. Tom Barnes stated that there is currently no written policy restricting such parking by county employees during working hours. After further discussion Ken Masters instructed Auditor Deborah Adams to prepare a memo instructing all county employees that effective immediately they are restricted from using the parameter parking spaces of the courthouse for personal parking of their vehicles during their working hours. Marvin Cole seconded the motion. Motion carried. The memo is to be attached to all paychecks.

AREA PLAN

Bill Todd, Area Plan Director, shared a copy of a letter mailed to James and Constance Wendel who have property in Moscow. The letter addresses the location of the old gun shop. Todd explained that the property is in violation of the Rush County Zoning Ordinance that defines a junk yard as:

"A lot, land, or structure, or part thereof, used for the collection, storage or sale of waste paper, rags, scrap metal, or discarded material, or for the collection, dismantling, storage, or salvage of machinery or vehicles not in running condition, or for the sale of parts thereof"

Todd reported that the Wendel's have been instructed to remove the junkyard within 14 days from the date of receiving the letter. The commissioners shared their support of the letter. Todd noted that the APC attorney also supports the action of the letter.

Todd reported that there are other properties owned by the Wendel's and is a concern to the community but they are out of his jurisdiction.

Tom Barnes reported that Brian Colestock had hand delivered a document to the commissioners in regards to the Wendel property. The document is currently on file.

DOWNEY INSURANCE AUDIT

Tom Barnes reported that the courthouse received an insurance audit by Downey Insurance on August 6th. Following this audit six areas of safety recommendations were shared with the commissioners. The commissioners were given thirty (30) days to take action or share their plan of action with Downey Insurance. Barnes listed the six recommendations and how each had been or will be addressed.

- **10-1** Painting courthouse walkway
- **10-2** Handrails between first and second floors of stairs

- **10-3** Non-skid tape applied to the inside courthouse steps
- **10-4** Fire extinguishers should be hydro static and checked yearly, one level will be addressed monthly
- **10-5** Emergency action plan for each department
- **10-6** Emergency lighting on each floor

COMPLAINTS

Tom Barnes went on record on behalf of the commissioners to say that any complaint(s) spoken or issued by any county employee, public citizen, or tax payer without signing or providing their name(s) would not receive their consideration to address.

Motion to adjourn was received from Marvin Cole. Ken Masters seconded the motion. Motion carried.

/c/Tom Barnes

Tom Barnes, Chairman

/c/Marvin Cole

Marvin Cole

/c/Ken Masters

Ken Masters

ATTEST:

/c/Deborah C. Adams

Deborah C. Adams, Auditor